
A BILL FOR AN ACT

RELATING TO EXEMPTIONS FROM CHILD CARE LICENSING.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. Section 346-152, Hawaii Revised Statutes, is
2 amended by amending subsection (a) to read as follows:

3 "(a) Nothing in this part shall be construed to include:

4 (1) A person caring for children related to the caregiver
5 by blood, marriage, or adoption;

6 (2) A person, group of persons, or facility caring for a
7 child less than six hours a week;

8 (3) A kindergarten, school, or child care program licensed
9 or certified by the department of education~~[, the~~
10 ~~charter school review panel, the Hawaii council of~~
11 ~~private schools, or any federal agency,~~ or the United
12 States Department of Defense and located on federal
13 property;

14 (4) A program that provides exclusively for a specialized
15 training or skill development for children, including
16 but not limited to programs providing activities such
17 as athletic sports, foreign language, the Hawaiian
18 language, dance, drama, music, or martial arts;



- 1 (5) A multiservice organization or community association,
2 duly incorporated under the laws of the State that
3 operates for the purpose of promoting recreation,
4 health, safety, or social group functions for eligible
5 pupils in public and private schools through seventeen
6 years of age;
- 7 (6) Programs for children four years of age and older that
8 operate for no more than two consecutive calendar
9 weeks in a three-month period;
- 10 (7) A provider agency operating or managing a homeless
11 facility or any other program for homeless persons
12 authorized under part XVII;
- 13 (8) After-school, weekend, and summer recess programs
14 conducted by the department of education pursuant to
15 section 302A-408;
- 16 (9) Child care programs conducted by counties pursuant to
17 section 302A-408; provided that each county adopts
18 rules for its programs;
- 19 (10) Any person who enters a home in a child caring
20 capacity and only cares for children who are of that
21 household; [~~and~~]



- 1 (11) A person caring for two or fewer children unrelated to
2 the caregiver by blood, marriage, or adoption[-]; and
- 3 (12) A child care program licensed by the Hawaii council of
4 private schools. A child care program claiming an
5 exemption under this paragraph shall submit an
6 application for the exemption on a form provided by
7 the department and shall provide to the department
8 evidence that the licensing standards of the Hawaii
9 council of private schools meet or exceed the
10 department's standards for a comparable program,
11 including a monitoring component. Upon application of
12 a child care program for the exemption under this
13 paragraph, the department shall have the discretion to
14 determine whether the licensing standards of the
15 Hawaii council of private schools meet or exceed the
16 department's standards."

17 SECTION 2. Statutory material to be repealed is bracketed
18 and stricken. New statutory material is underscored.

19 SECTION 3. This Act shall take effect on July 1, 2013.
20



Report Title:

Child Care Licensing; Exemptions

Description:

Allows a child care program licensed by the United States Department of Defense or the Hawaii Council of Private Schools to be exempt from licensing by the Department of Human Services. In order for a child care program licensed by the Hawaii Council of Private Schools to be exempt from licensure by the Department of Human Services, the child care program must apply and show evidence that the licensing standards of the Hawaii Council of Private Schools meet or exceed the licensing standards of the Department of Human Services, and that the standards include a monitoring system that ensures compliance with the standards.
(SD2)

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